IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 1542 OF 2004

Mrs. Sayli Shashikant Haldankar ..Petitioner.

Vs.

The Chairman/President/Secretary/Treasurer, Shri Bhairav Seva Samiti & Ors. ..Respondents.

Mr. Sunil Dighe for the Petitioner.
Mrs. M.P. Thakur AGP for Respondent Nos.5,7 & 10.
Mr. R.V.Govilkar for Respondents Nos. 1,2,8 & 9.

CORAM : F.I. REBELLO AND
Dr.D.Y.CHANDRACHUD,JJ.

DATED : 06TH FEBRUARY, 2006.

P.C.:

1. The impugned order dated 15.12.2003, being a non-speaking order, will have to be set aside and the matter be remanded back to respondent No. 6 for hearing afresh and by passing a fresh order and giving reasons thereof.

2. On behalf of the petitioner, the learned counsel pointed out that the respondents have filed replies to which he will have to file a rejoinder. Considering the order to be passed, it will be open to the petitioner herein to make a detailed representation to respondent No.6. On such representation, if made within a period

of two weeks from today, the respondent No. 6 to issue notice to respondent Nos. 1 and 2 as also respondent Nos. 8 and 9 and after allowing them to file the reply, the respondent No.6 to dispose of the grievances as raised by the petitioner herein within a period of 16 weeks thereafter.

3. In the meantime and till the disposal of the said representation, the interim order granted in favour of the petitioner on April 01, 2004 will continue till the hearing and final disposal of the petitioner's representation and, if the order is adverse, for a period of four weeks thereafter from the date of the communication of the order to the petitioner.

4. In the event, the post of Additional Chief Executive Officer is vacant and or the incumbent is not available then the Chief Executive Officer to hear and dispose of the representation/ application. Rule made absolute accordingly. The petition is disposed of.

06.02.2006 (F.I.Rebello,J)

(Dr.D.Y.Chandrachud,J)

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